

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CAMERON WILLIAMS,

Plaintiff,

vs.

SCOTT FRAKES, BRAD HANSEN,
CHRISTOPHER CONNELLY, SCOTT
BUSSBOOM, MATILDA SERNA, ATHENA
SHERMAN, SUSAN TALENT, NICHOLAS
NEUJARTH, JUSTIN HOUSEMAN,
MICHELLE CAPPS, TODD HAUSSLER,
CHELSEA DE LA CRUZ, DIANE SABATKA-
RINE, and JOHN DOES 1-5,

Defendants.

4:22CV3071

**FIFTH AMENDED FINAL
PROGRESSION ORDER**

This matter comes before the Court on Plaintiff's Unopposed Motion to Extend Progression Order deadlines. [Filing No. 191](#). For good cause shown, the motion is granted. Accordingly,

IT IS ORDERED the provisions of the Court's previous final progression order remain in effect, and in addition to those provisions, case progression shall be amended as follows:

- 1) Discovery has been bifurcated on the issues of administrative exhaustion and the merits. Accordingly, the trial, pretrial conference, and further status conference will not be set at this time. Instead, the parties are instructed to contact the appointed special master or assigned magistrate judge within **5 days** of the Court's ruling denying any part of a party's motion for summary judgment or motion to dismiss relating to administrative exhaustion in order to set a status conference to discuss case progression on the merits issue.
- 2) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is December 13, 2024.

- a. The maximum number of depositions that may be taken by the plaintiffs as a group and the defendants as a group is 20.
 - b. Depositions will be limited by Rule 30(d)(1).
- 3) The deadline for filing motions to dismiss and motions for summary judgment on the issue of exhaustion only is December 27, 2024.
- 4) The deadline for filing motions to exclude testimony on *Daubert* and related grounds on the issue of exhaustion only is December 27, 2024.
- 5) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 6) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge, including all requests for changes of trial dates. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 9th day of December, 2024.

BY THE COURT:

s/ Ryan C. Carson
United States Magistrate Judge